

## 8. 2012SP-034-001

### ACKLEN PARK COTTAGES

Map 104-01, Parcel(s) 374-375  
Council District 24 (Jason Holleman)  
Staff Reviewer: Duane Cuthbertson

A request to rezone from R6 to SP-R zoning properties located at 414 and 416 Acklen Park Drive, approximately 360 feet west of Park Circle (0.83 acres), to permit 8 residential units, requested by Dale & Associates, applicant, Kenneth T. Saunders et ux and Grace and Billy McKay, owners.

**Staff Recommendation: Approve with conditions, including the revised conditions from Metro Public Works, and disapprove without all conditions**

### APPLICANT REQUEST

**Permit eight detached residential units.**

#### Preliminary SP

A request to rezone from One and Two Family Residential (R6) to Specific Plan-Residential (SP-R) zoning properties located at 414 and 416 Acklen Park Drive, approximately 360 feet west of Park Circle (0.83 acres), to permit a maximum of eight residential units.

#### **Existing Zoning**

One and Two Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots.

#### **Proposed Zoning**

Specific Plan-Residential (SP-R) is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

### CRITICAL PLANNING GOALS

- Supports Infill Development
- Creates Walkable Neighborhoods
- Provides a Range of Housing Choices

This SP enables the needed flexibility to provide additional housing on two pie shaped residential lots containing considerably more depth and area than many similarly zoned lots in the surrounding area. The development will introduce sidewalks onto a street that serves as a connection to a more densely developed area east of I-440.

### GREEN HILLS – MIDTOWN COMMUNITY PLAN

Residential Medium (RM) policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

#### Consistent with Policy?

Yes. The proposed development provides housing on the property in a manner that is consistent with the policy. The RM policy permits a density up to nine dwelling units per acre. The RM policy area of the surrounding neighborhood including the subject property currently has a density of 6.5 dwelling units per acre. The proposed development would raise the neighborhood's density to 6.7 dwelling units per acre, well under the density threshold set by the policy. The proposed development will maintain the character and scale of the surrounding neighborhood.

### PLAN DETAILS

This SP request proposes eight detached single-family dwellings on the two residential parcels in place of the two existing single-family dwellings. The properties are located in the bend of Acklen Park Drive near the middle of the block and abut a railroad right-of-way to the west. The surrounding neighborhood consists predominantly of single-family detached homes however there is a 12 unit multi-family building located on the same block to the south. There are also duplexes found in the surrounding neighborhood

#### Site Plan

The SP proposes eight detached single-family dwellings, all surrounding a central courtyard. The two dwellings fronting Acklen Park Drive will be oriented to the street, front entries facing and façade's aligned with the street, in a manner consistent with the existing pattern found in the neighborhood.

As proposed the site density is approximately 9.6 units per acre. The following bulk standards would apply:

Max Units – 8

Max FAR – 60 percent (42 percent proposed)

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Max ISR – 70 percent (59 percent proposed)

Front Yard Setback – 30 feet\*

Side Yard Setback – 10 feet (25 feet setback along the railroad)

Rear Yard Setback – 20 feet from property line

Max Height – Buildings fronting Acklen Park Drive shall be limited in height to 25 feet at the bottom of the eave and 35 feet at the top of the roof. For all other buildings the maximum building height shall be 35 feet at the bottom of the eave and 45 feet at the top of the roof.

*\*The plan permits covered porches, stoops and balconies to encroach into established setbacks up to six feet. The plan permits bay windows to encroach into established setbacks up to two feet.*

Vehicular access to the development will be limited to two points of a one-way wrap around driveway. The parking provided on-site exceeds the number of spaces required by code and will be located attached in the rear of the dwellings or on site behind the dwellings fronting the street. A sidewalk will be established along the Acklen Park Drive frontage in front of a proposed knee-wall.

### Staff Analysis

As stated above the request is consistent with the areas RM land use policy. The plan supports infill development, helps to promote a walkable neighborhood and provides for a wider range of housing options in the area while maintaining the general character found in the neighborhood. The intent of the SP is to maintain the single-family residential pattern found along Acklen Park Drive while accommodating additional density on the property.

### METRO SCHOOL BOARD REPORT

**Projected student generation**     1 Elementary     1 Middle     1 High

### Schools Over/Under Capacity

Students would attend Sylvan Park Paideia Design Center, West End Middle School, and Hillsboro High School. Sylvan Park is identified as under capacity. This information is based upon data from the school board last updated November 2012.

### PUBLIC WORKS RECOMMENDATION

Project is under review.

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Attached/Detached (210)	0.83	7.71 D	7 U*	67	6	8

\*Accounts for six lots with one duplex unit permitted by zoning.

Maximum Uses in Proposed Zoning District: **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.83	-	8 U	77	6	9

Traffic changes between maximum: **R6** and proposed **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1	+10	0	+1

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions. The request is consistent with the site's Residential Medium land use policy and meets several critical planning goals.

### CONDITIONS

1. Uses within the SP shall be limited to a maximum of eight residential units.
2. The requirements of the Public Works Department shall be met.

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3. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

6. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

Public Works Department staff has provided two conditions of approval related to the approval of the Preliminary SP.

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

2. Provide signage and striping for the entrance per discussion with EOR M. Garrigan.

**Staff Recommendation: Approve with conditions, including the revised conditions of the Public Works Department.**

Approved with conditions, including the revised conditions from Metro Public Works, and disapproved without all conditions. (8-0-1), Consent Agenda

### **Resolution No. RS2012-239**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2012SP-034-001 is **Approved with conditions, including the revised conditions from Metro Public Works, and disapprove without all conditions. (8-01)**

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